



COUNTY OF LOS ANGELES  
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October 19, 2016

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TO: LORI GLASGOW  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO *LAG*  
Senior Assistant County Counsel  
Executive Office

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Kody Quinn v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 534 190**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

RHG:scr

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Kody Quinn v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 534 190 in the amount of \$325,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Public Works – Road Maintenance's budget.

This dangerous condition lawsuit against the Department of Public Works arises from injuries sustained in a solo motorcycle accident in the unincorporated area of the County.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kody Quinn v. County of Los Angeles, et al.
CASE NUMBER	BC 534190
COURT	Los Angeles Superior Court
DATE FILED	January 23, 2014
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 325,000
ATTORNEY FOR PLAINTIFF	Michael Coletti, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>On April 20, 2013, at approximately 1:30 p.m., Kody Quinn, while riding a motorcycle on southbound Bouquet Canyon Road, approximately two miles north of Texas Canyon Road, lost control as he entered a curve. As a result, he was ejected from his motorcycle and collided into a guardrail. He received fractures to both his legs, and underwent medical treatment, including corrective surgery. Mr. Quinn contends that the curve in the road existed as a dangerous condition of which the County had notice. The County denies Mr. Quinn's contention and alleges that he was comparatively negligent.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$325,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 162,398
PAID COSTS, TO DATE	\$ 47,312

Case Name: QUINN, KODY



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	April 20, 2013
Briefly provide a description of the incident/event:	<p>On Saturday, April 20, 2013, at approximately 1:30 p.m., plaintiff Kody Quinn was operating a 2013 "Harley Davidson 48" southbound on Bouquet Canyon Road, 2 miles north of Texas Canyon Road, in the unincorporated area of Santa Clarita, at approximately 35 mph when he entered a left curve, traveled off the roadway onto the right dirt shoulder, hit the guardrail, and was ejected from his motorcycle. As a result, Mr. Quinn sustained two broken femurs.</p> <p>Plaintiff alleged the curve was a dangerous condition because the County failed to provide a sign warning of the curve for southbound traffic.</p> <p>Plaintiff produced Google photographs dated January 2011 and November 2011, which showed that the southbound W1-1 and W13-1 (20 mph) signs were not in place at that time.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

1. According to the Plaintiff's statement in the Traffic Collision Report: While driving through a curve, Plaintiff leaned his motorcycle in a way that caused his motorcycle foot pedal to drag on the pavement and caused him to lose control and crash.
2. During normal maintenance and traffic studies prior to the Incident and Claim reviews after the incident, Public Works personnel did not determine or report that the southbound curve signs were missing.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

On January 27, 2015, T&L notified Claims and Litigation of the missing southbound W1-1 and W13-1 (20 mph) signs. Claims and Litigation notified Counsel of the missing signs and Counsel authorized the reinstallation of the subject signs on March 26, 2015.

On April 9, 2015, the W1-1 and W13-1 (20 mph) signs were reinstalled by OSD. In addition, W1-8 Chevron Signs were installed.

By September 1, 2016, Public Works will create written procedures, guidelines, and protocols to enhance effectiveness of signage maintenance and record keeping. Upon completion of this document, all employees involved in this function will be trained and held accountable to know and follow the written practice through Annual tailgate trainings.

County of Los Angeles  
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.  
☒ No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)  
Michael J. Hays

Signature:

*Michael J. Hays*

Date:

6/13/16

Name: (Department Head)  
Gail Farber

Signature:

*Gail Farber*

Date:

8-29-16

**Chief Executive Office Risk Management Inspector General USE ONLY**

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.  
☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

*Destiny Castro*  
Signature: *Destiny Castro*

Date:

6/14/2016

ML:psr  
P4:QUINN SCAP1

*RGD*

*MPB*